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EXAMINER

MURPHY, RHONDA L

ART UNIT

PAPER NUMBER

2416

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/827,485	<b>Applicant(s)</b> BRUMM ET AL.	
	<b>Examiner</b> RHONDA MURPHY	<b>Art Unit</b> 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 28 and 30-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 28 and 30-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This communication is responsive to the amendment filed on 11/04/08. Accordingly, claims 1-27 and 29 have been canceled, claims 39-47 have been added and claims 28 and 30-47 are currently pending in this application.

### ***Response to Arguments***

1. Applicant's arguments filed 11/04/08 have been fully considered but they are not persuasive. Applicants argue Wang's "packet based network application protocol is not used for telephone signaling." However, Examiner respectfully disagrees. Wang describes in column 9, line 61 to col. 10, line 2, *"In some embodiments the telephone 240 provides simultaneous data and telephony communications. In order for the telephone 240 to act simultaneously as an Internet access device and a telephone 240, the information appliance provides multiprocessing. While the telephony application is running in the foreground, a packet data communications program runs in the background to check if any packets have been received on the telephone 240 communications port."* Thus, the telephone 240 communicating via the Internet must include telephone signaling. Wang also describes the telephone 240 communicating not only with the Internet, but also with other packet based networks (PBNs) 294, as shown in Figure 2.

2. Applicant also argues Sjolund does not disclose any IP based terminal device coupled to a packet switched communication network. However, Examiner respectfully

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disagrees and would like to note Sjolund's invention involves an IP based telephone system, as illustrated for example in Figure 1. Sjolund further teaches signaling according to a signaling protocol for circuit-switched telecommunications in column 3, lines 55 - 63. Thus, it is Examiner's position that the claims limitations have been met and the rejection has been maintained.

### ***Double Patenting***

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims 28, 31, 39 and 40 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 – 3 and 7 of U.S. Patent No. 7,221,683. Although the conflicting claims are not identical, they are not patentably distinct from each other. Claim 1 of US Patent 7,221,683 discloses a first subscriber to the packet-switching communications network, which corresponds to a

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terminal device coupled to a packet-switched communication network in claim 28 of the instant applicant; Claim 1 of US Patent 7,221,683 discloses processing first signaling information configured according to a signaling standard of the circuit-switching communication network, which corresponds to second signaling information according to a standard signaling protocol for circuit-switched telecommunications in claim 28 of the instant application; Claim 1 of US Patent 7,221,683 discloses second signaling information according to the signaling standard of the packet-switched communications network, which corresponds to the first signaling information according to a first standard signaling protocol for packet-switched telecommunications described in claim 28 of the instant application; Claim 1 of US Patent 7,221,683 discloses the packet-switching communications network using an interface unit, which corresponds to an interface unit for operatively coupling the terminal device to the packet-switched communication network in claim 28 of the instant application.

5. Although U.S. Patent 7,221,683 does not explicitly disclose processing the signaling information under a protocol stack, it is well known in the art for protocol stacks to define standards for processing signals. Thus, it would have been obvious to one skilled in the art to recognize a protocol stack would be utilized for processing the signals.

6. Claim 2 of US Patent 7,221,683 discloses the first signaling information corresponding to a DSS1 signaling protocol, which is also described in claim 40 of the instant application, which states the second standard signaling protocol for circuit-

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switched telecommunications is in accordance with the DSS1, QSIG, and/or CORNET NC signaling protocol.

7. Claim 3 of US Patent 7,221,683 discloses the second signaling information corresponds to an H.323/H.450 signaling protocol, which is also described in claim 39 of the instant application, which states the first standard signaling protocol for packet-switched telecommunications is in accordance with the H.323 /H.450 standard.

8. Claim 7 of US Patent 7,221,683 discloses the wherein the service or feature is at least one of call pick-up, call divert, call forwarding, call name display, subscriber cut-in, subscriber-dependent ringing, three-way conferencing, large-scale conferencing, holding, displaying of toll information, a closed user group, a private call number schedule, call number identification, automatic callback when busy, automatic callback when no reply, call barring, call waiting and call transfer, which is also described in claim 31 of the instant application, which states the service feature and/or performance feature includes at least one of call pick up, three way conferencing, large scale conferencing, holding, displaying of toll information, a closed user group, call number identification, automatic call back when busy, automatic call back when no response, call barring, call waiting indication and call transfer.

### ***Drawings***

9. The drawings are objected to because Figures 1 - 4 contain labels that are not in the English language, for example, "fur", "Beispiel einer graphischen Benutzeroberfläche", "Wahlen", "Sie hier", "mit", "laut" and "leise". Corrected drawing

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sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

10. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: numerals "12" through "88", as outlined on pages 10, 11 and 13-17.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either

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"Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

11. Claims 1, 37 and 42 are objected to because of the following informalities:
12. In claim 1, lines 12 and 14, in order to maintain consistent claim language, it is suggested to insert "packet-switched" before "communication network", if the "communication network" refers to the packet-switched communication network.
13. In claim 37, line 4, "stack" is duplicated and should be deleted.
14. In claim 37, line 6, of page 4, either the "," (comma) or ";" (semi-colon) should be deleted.
15. In claim 42, lines 1-2, there appears to be a term missing in the phrase "the terminal private at least".
16. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

17. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.



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18. Claims 41 and 45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

19. In claims 41, lines 2 and 6, the phrase "service feature and feature" is unclear and clarification is requested.

20. In claims 45, lines 2 and 5-6, the phrase "service feature and feature" is unclear and clarification is requested.

***Claim Rejections - 35 USC § 103***

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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23. Claims 28 and 30- 41, 43-45 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. (US 6,883,023) in view of Sjolund et al. (US 6,937,596).

**Regarding claim 28**, Wang discloses a terminal device coupled to a packet-switched communication network (col. 1, lines 24-28, where a combination of a computer and a communications device form a compound network apparatus, i.e. a terminal device, and col. 5, lines 4-15, where the apparatus is connected to a LAN, which is a packet-switched communication network, see also Fig. 2 and col. 10, lines 46-51) comprising: a data processing device having a first program module, wherein said processing device configures first signaling information according to a first standard signaling protocol for packet-switched telecommunications that is processed under a first protocol stack (col. 4, lines 31-36, where the apparatus configures communications destined for the router according to a packet based network application protocol, see also Fig. 3C and col. 10, lines 2-7), and wherein signaling in accordance with the first standard signaling protocol for packet-switched telecommunications is determined for conventional telecommunications and voice connections (col. 4, lines 36-51: method for exchanging voice and data messages between a telephone and devices connected to the network....telephony protocols) and configures second signaling information according to a standard signaling protocol for telephony telecommunications that is processed under a second protocol stack (col. 4, lines 13-30, where the apparatus configures communications destined for the gateway according to a soft private branch exchange telephony application layer protocol, i.e. a protocol for telephony telecommunications,

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see also Fig. 3C and col. 10, lines 2-7); an interface unit for operatively coupling the terminal device to the packet-switched communication network (col. 5, lines 4-15, where the apparatus is connected to a LAN, which is a packet-switched communication network, see also Fig. 2 and col. 10, lines 46-51) wherein the first signaling information is communicated through an interface with the assistance of signaling packets of the packet-switched communication network (col. 4, lines 31-36, where the apparatus configures communications destined for the router according to a packet based network application protocol, see also Fig. 3C), and the second signaling information is communicated through the interface with the assistance of data packets of the packet-switched communication network (col. 4, lines 13-30, where the apparatus "transforms the [second signaling information] into transport data formatted according to a transport protocol for a packet switched network, see also Fig. 3C and col. 13, lines 28-40).

Wang does not expressly disclose that the protocol for telephony telecommunications is a protocol for circuit-switched telecommunications.

Sjolund teaches, in a telecommunications system, overlaying a standard circuit-switched protocol on an IP based network protocol (col. 1, lines 54-59) by having a conversion unit treat the standard circuit-switched protocol as a pure bitstream (col. 5, lines 34-38). Sjolund does this to ensure that "the existing services supported by the standard [circuit-switched] protocols will be supported in the packet switched network" (col. 1, lines 65-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have Wang's telephony telecommunications protocol be a circuit-switched telecommunication protocol, as outlined in Sjolund. This could be

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done by having Wang's terminal use the circuit-switched telecommunications protocol at the higher layers of the protocol stack. One of ordinary skill in the art would have been motivated to do this to ensure that existing services supported by the standard circuit-switched protocols will be supported in the packet switched network.

**Regarding claim 30**, Wang in view of Sjolund discloses that signaling information for at least one service feature and/or performance feature is transmitted as second signaling information (Wang: col. 4, lines 8-11, where the signaling information includes information about conferencing, dialing, receiving an incoming call, forwarding, transferring, and placing a call, i.e. "at least one service feature and/or performance feature", see also Sjolund: col. 1, lines 65-67).

**Regarding claim 31**, Wang in view of Sjolund discloses that the service feature and/or performance feature includes at least one of call pick up, three way conferencing, large scale conferencing, holding, displaying of toll information, a closed user group, call number identification, automatic call back when busy, automatic call back when no response, call barring, call waiting indication and call transfer (Wang: col. 4, lines 8-11, where the signaling information includes information about conferencing, dialing, receiving an incoming call, forwarding, transferring, and placing a call).

**Regarding claim 32**, Wang in view of Sjolund discloses that the second signaling information, with the assistance of the packet-switched communication network, is transmitted from the terminal device to a second interface unit between the packet-switched communication network and a circuit-switched communication network (Wang: col. 4, lines 22-24, where the apparatus is connected to a gateway server, which

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"provides access for the user to a public switched telephone network," see also Fig. 2 and col. 10, lines 51-56).

**Regarding claim 33**, Wang in view of Sjolund discloses that the data processing device further comprises a second program module that converts the transmitted first and second signaling information into image information to be displayed on a display unit and processes information which is input using an input unit using data exchanged between the first program module and the second program module (Wang: col. 3, lines 6-14, where the apparatus includes software for displaying information and receiving user inputs, see also col. 5, lines 33-41).

**Regarding claim 34**, Wang in view of Sjolund discloses that the second program module provides a graphical interface (Wang: col. 5, lines 33-37, where the apparatus "includes a display providing user interface graphic elements").

**Regarding claim 35**, Wang in view of Sjolund discloses that a number of possible graphical interfaces are stored in the data processing device, and the user interfaces are optionally switched over by the second program module (Wang: Figs. 12-35, where various graphical interfaces are presented).

**Regarding claim 36**, Wang in view of Sjolund discloses that the terminal device is configured as a computer system with software and hardware (Wang: col. 2, line 64-col. 3, line 21, where various software and hardware components are disclosed, see also, col. 43, lines 37-50).

**Regarding claim 37**, Wang discloses a method for operating a telecommunication system having at least one terminal device operatively coupled to a packet-switched

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network (col. 1, lines 24-28, where a combination of a computer and a communications device form a compound network apparatus, i.e. a terminal device, and col. 5, lines 4-15, where the apparatus is connected to a LAN, which is a packet-switched communication network, see also Fig. 2 and col. 10, lines 46- 51) comprising the steps of: configuring first signaling information according to a standard signaling protocol for packet-switched telecommunication that is processed under a first protocol stack (col. 4, lines 31-36, where the apparatus configures communications destined for the router according to a packet based network application protocol, see also Fig. 3C and col. 10, lines 2-7); and wherein signaling in accordance with the first standard signaling protocol for packet-switched telecommunications is determined for conventional telecommunications and voice connections (col. 4, lines 13-30, where the apparatus configures communications destined for the gateway according to a soft private branch exchange telephony application layer protocol, i.e. a protocol for telephony telecommunications, see also Fig. 3C and col. 10, lines 2-7); processing said first signaling information according to the rules of the packet-switched standard protocol using said first protocol stack (col. 4, lines 31-36, where the apparatus communicates with the router using packets, see also Fig. 3C and col. 10, lines 2-7); configuring second signaling information according to a standard signaling protocol for telephony telecommunication that is processed under a second protocol stack (col. 4, lines 13-30, where the apparatus configures communications destined for the gateway according to a soft private branch exchange telephony application layer protocol, i.e. a protocol for telephony telecommunications, see also Fig. 3C and col. 10, lines 2-7); processing said

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second signaling information according to the rules of the telephony standard protocol using said second protocol stack (col. 4, lines 13-30, where the apparatus processes communications destined for the gateway according to a soft private branch exchange telephony application layer protocol, i.e. a protocol for telephony telecommunications, see also Fig. 3C and col. 10, lines 2-7); transmitting first bits of signaling information through an interface with the assistance of signaling packets of the packet-switched communication network (col. 4, lines 31-36, where the apparatus configures communications destined for the router according to a packet based network application protocol, see also Fig. 3C), and the second signaling information is transmitted through the interface with the assistance of data packets of the packet-switched communication network (col. 4, lines 13-30, where the apparatus "transforms the [second signaling information] into transport data formatted according to a transport protocol for a packet switched network, see also Fig. 3C and col. 13, lines 28-40).

Wang does not expressly disclose that the protocol for telephony telecommunications is a protocol for circuit-switched telecommunications.

Sjolund teaches, in a telecommunications system, overlaying a standard circuit-switched protocol on an IP based network protocol (col. 1, lines 54-59) by having a conversion unit treat the standard circuit-switched protocol as a pure bitstream (col. 5, lines 34-38). Sjolund does this to ensure that "the existing services supported by the standard [circuit-switched] protocols will be supported in the packet switched network" (col. 1, lines 65-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have Wang's telephony telecommunications protocol

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be a circuit-switched telecommunication protocol, as outlined in Sjolund. This could be done by having Wang's terminal use the circuit-switched telecommunications protocol at the higher layers of the protocol stack. One of ordinary skill in the art would have been motivated to do this to ensure that existing services supported by the standard circuit-switched protocols will be supported in the packet switched network.

**Regarding claim 38**, Wang discloses a terminal device coupled to a packet-switched communication network (col. 1, lines 24-28, where a combination of a computer and a communications device form a compound network apparatus, i.e. a terminal device, and col. 5, lines 4-15, where the apparatus is connected to a LAN, which is a packet-switched communication network, see also Fig. 2 and col. 10, lines 46-51) comprising: a data processing device having a first program module, wherein said processing device configures first standard signaling information according to a first signaling protocol for packet-switched telecommunications (col. 4, lines 31-36, where the apparatus configures communications destined for the router according to a packet based network application protocol, see also Fig. 3C and col. 10, lines 2-7), and wherein signaling in accordance with the first standard signaling protocol for packet-switched telecommunications is determined for conventional telecommunications and voice connections (col. 4, lines 13-30, where the apparatus configures communications destined for the gateway according to a soft private branch exchange telephony application layer protocol, i.e. a protocol for telephony telecommunications, see also Fig. 3C and col. 10, lines 2-7), and configures a second signaling information according to a signaling protocol for telephony telecommunications (col. 4, lines 13-30, where the



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apparatus configures communications destined for the gateway according to a soft private branch exchange telephony application layer protocol, i.e. a protocol for telephony telecommunications, see also Fig. 3C and col. 10, lines 2-7); an interface unit for operatively coupling the terminal device to the packet-switched communication network (col. 5, lines 4-15, where the apparatus is connected to a LAN, which is a packet-switched communication network, see also Fig. 2 and col. 10, lines 46-51), wherein the second signaling information is communicated through the interface unit as part of signaling packets that do not contain any first signaling information (col. 4, lines 13-30, where the apparatus "transforms the [second signaling information] into transport data formatted according to a transport protocol for a packet switched network, see also Fig. 3C and col. 13, lines 28-40).

Wang does not expressly disclose that the protocol for telephony telecommunications is a protocol for circuit-switched telecommunications.

Sjolund teaches, in a telecommunications system, overlaying a standard circuit-switched protocol on an IP based network protocol (col. 1, lines 54-59) by having a conversion unit treat the standard circuit-switched protocol as a pure bitstream (col. 5, lines 34-38). Sjolund does this to ensure that "the existing services supported by the standard [circuit-switched] protocols will be supported in the packet switched network" (col. 1, lines 65-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have Wang's telephony telecommunications protocol be a circuit-switched telecommunication protocol, as outlined in Sjolund. This could be done

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by having Wang's terminal use the circuit-switched telecommunications protocol at the higher layers of the protocol stack. One of ordinary skill in the art would have been motivated to do this to ensure that existing services supported by the standard circuit-switched protocols will be supported in the packet switched network.

**Regarding claims 39, 43 and 47**, Wang discloses the terminal device according to claims 28, 37 and 38, wherein the first standard signaling protocol for packet-switched telecommunications is in accordance with the H.323 /H.450 standard (col. 11, lines 35-37; col. 23, lines 65-67).

**Regarding claims 40 and 44**, the combined system of Wang and Sjolund teach the terminal device according to claims 28 and 37. Sjolund further teaches wherein the second standard signaling protocol for circuit-switched telecommunications is in accordance with the DSS 1, QSIG, and/or CORNET NC signaling protocol (col. 1, lines 56-57).

**Regarding claims 41 and 45**, the combined system of Wang and Sjolund teach the terminal device according to claims 28 and 37, wherein in the case of at least one of a service feature and a feature, which can be carried out using the first standard signaling protocol for packet-switched telecommunications (col. 4, lines 31-36) and using signaling information of the second standard signaling protocol for circuit-switched telecommunications (col. 4, lines 13-30), signaling information of the first standard signaling protocol for packet-switched telecommunications is used for the service feature and/or feature (col. 4, lines 31-36; also Fig. 3C and col. 10, lines 2-7), and signaling information of the second standard signaling protocol for circuit-switched

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telecommunications is not processed further for the service feature and/or feature (col. 4, lines 13-30; also col. 10, lines 62 to col. 11, line 5).

24. Claims 42 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang and Sjolund as applied to claim 28 and 37 above, and further in view of Frey et al. (US 6,940,846).

**Regarding claims 42 and 46**, Wang discloses the terminal device according to claim 28, wherein with the terminal private at least one of call number schedules (col. 25, lines 32-39). Wang fails to explicitly disclose providing CENTREX group specific functions.

However, Frey teaches providing CENTREX group specific functions (col. 3, lines 44-48).

In view of this, it would have been obvious to one skilled in the art to modify Wang and Sjolund's system by incorporating CENTREX group specific functions, so as to provide central office exchange functionalities.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RHONDA MURPHY whose telephone number is (571)272-3185. The examiner can normally be reached on Monday - Friday 9:00 - 5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Seema S. Rao/  
Supervisory Patent Examiner, Art Unit 2416

Rhonda Murphy  
Examiner  
Art Unit 2416

/R. M./  
Examiner, Art Unit 2416